

Merchantville, NJ

July 13, 2009

A regular meeting of Borough Council was held at 7:30 PM, Monday, July 13, 2009. Mayor Frank M. North presided. Pledge of Allegiance and Silent Prayer were observed. Announcement was made that the meeting had been advertised in accordance with the regulations prescribed by the "Open Public Meetings Act".

ROLL CALL:

Council Present: Alloway, Brennan, Perno, Brunton, Waldron and Fields.
Borough Clerk Brouse, CFO Moules and solicitor Higgins were present.

PUBLIC HEARING:

ORDINANCE Salary & Compensation 2009

PUBLIC:

Marvin Gaskill, 102 Chestnut Avenue, regarding alternate proposals for bikeway. He has 4 modifications to the bikeway. 1. Widen the path to 12 feet, 2. Add cinder path 1 ft wide on either side. 3. Loop of bike lanes around town 3.6 mile loop. 4. Extension-add 400 feet from Cove to Collins. Also organize an annual 6K run.

Mr. Perno responded to the comments and would like to work with Pennsauken to extend the path with a possible joint application.

ENGINEER'S REPORT:

Mr. Brickley provided a written report to Council.

Gail Ford, 135 N. Centre Street, Would there be only one path where it exists? Yes

CORRESPONDENCE: None**COUNCIL REPORTS:**

Mrs. Fields reported that EMS had 24 calls, gave the Planning Board report, NPP has no report, she is on vacation. NPP may be ending in 2010. Thank you to all for your help with the Audit. Code Enforcement update, 12 code reminder items will be put on the web site. A report on 606 W. Maple was given by Kevin & Eric to Mayor and Solicitor. Building Manager has been fired and Dr. Malik has been in Court. Drug Alliance-50 students taking part of the summer program. Special night in August for night out program. Parks and Playgrounds in 3rd week with 70 kids.

Mr. Waldron reported that Farmer's Market was successful, Shade Tree meeting-new trees doing well. Public Events-Volleyball nets up at Community Center.

Mr. Brunton gave license report. Public Works trash removal day is going well, installed air conditioner units in Borough hall, manhole broke and fell in the vault, purchased 2 new mowers, Al Henry is on light duty.

Mr. Perno reported on CDBG application approval for 2009, can move on with Community Center bathrooms, building and grounds Borough hall roof and wall work will begin soon.

Mr. Brennan reported on Public Events, Riversharks was a successful event. Court

report-there were less cases in Court in 2009, no court audit findings, and gave a fire report.

Mr. Alloway gave the police report. Bridges are set to be opened on Wednesday at Chapel & Maple Avenues. Drunk Drive enforcement grant will begin, Callaway is still out of work, One way signs were installed on Oak Terrace.

CLERK'S REPORT: We have been approved for the summer youth program but the County does not have any youth for us at this time. We will work with the Family Support Group of Merchantville to help us with applicants. The Mayor and Steve Volkert attended a meeting for the DRVPC Classic towns program and we will be approving their resolution tonight. We had our Audit exit meeting, please remember to review the audit and sign the affidavit. The police video car system is out to bid.

OLD BUSINESS: Ordinance Adoption

ORDINANCE-Salary & Compensation 2009

On a motion of Mrs. Fields and second of Mr. Waldron the following Ordinance was adopted with a vote of 4 -3 with Mr. Brunton, Mr. Brennan and Mr. Perno voting no.

09-14

AN ORDINANCE FOR THE BOROUGH OF MERCHANTVILLE IN THE COUNTY OF CAMDEN AND STATE OF NEW JERSEY ENTITLED "SALARIES & COMPENSATION"

BE IT ORDAINED by the Mayor and Council of the Borough of Merchantville as follows:

SECTION 1. The maximum annual salaries of the employees of the Borough of Merchantville are hereby established, in accordance with the following schedule for services performed during the year 2009 as of January 1, 2009.

| <u>POSITION</u> | <u>SALARY</u> |
|---|----------------------|
| Mayor | 1,401.00 |
| Member of Council | 982.00 |
| Borough Clerk/Registrar | 46,000.00 |
| Borough Tax Collector/Utility Clerk | 44,100.00 |
| Tax Search Clerk | 500.00 |
| Accounts Payable Clerk (Per Hour) | 13.00 |
| Tax Assessor | 8,709.00 |
| Solicitor | 25,625.00 |
| Neighborhood Preservation Program Director | 4,000.00 |
| Coordinator – Neighborhood Preservation Program (Per Hour) | 15.45 |
| Planning/Zoning Officer | 12,360.00 |
| Code Enforcement Official | 12,360.00 |
| Police Chief | 96,762.80 |
| Police Secretary | 33,282.00 |
| Community Relations Officer | 37,407.00 |
| School Traffic Guard (Per Day) | 20.00 |
| Meter Attendant (Per Hour) | 7.21 |
| Paid Fireman | 39,871.00 |
| Fire Official (\$1,800 flat rate plus Pd per Inspection by pay scale) | 5,700.00 |
| Fire Inspector (Paid per Inspection per pay scale) | 3,800.00 |
| Clerk Typist (Per Hour) | 10.00 |
| Prosecutor | 10,500.00 |

| | |
|--|--|
| Public Defender | 10,000.00 |
| Public Works Superintendent | 56,959.00 |
| Clean Communities Worker (Per Hour) | 7.50 |
| Community Center Custodian (Per Month) | 25.00 |
| Meeting Cleanup (Per Meeting) | 60.00 |
| Parks and Playgrounds Counselor (Per Hour) | Start at \$5.50 and add \$0.25 for each year of service |
| Magistrate | 17,000.00 |
| Municipal Court Administrator | 39,634.00 |
| Deputy Court Administrator (Per Hour) | 16.70 |
| Violations Clerk (Per Hour) | 9.90 |
| Wastewater Collection Operator | 3,000.00 |

Section 2. Longevity shall be added to the above salaries in accordance with the following schedule:

LONGEVITY SCHEDULE FOR FULL-TIME EMPLOYEES HIRED PRIOR TO JANUARY 1, 1994:

| | |
|---------------------------------|----|
| After 5 years through 10 years | 2% |
| After 10 years through 15 years | 3% |
| After 15 years through 20 years | 4% |
| After 20 years through 24 years | 5% |
| After 24 years | 6% |

Retiring employees will be paid longevity on a prorated basis.

SECTION 3. All ordinances and parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed as to such inconsistencies only.

SECTION 4. This ordinance shall become effective twenty (20) days after publication thereof following final passage, and all salaries and compensation shall be retroactive to January 1, 2009.

NEW BUSINESS: Introduce the following Ordinance to be considered for adoption at the August 10 council meeting.

ORDINANCE-ANTENNA ORDINANCE

On a motion of Mrs. Fields and second of Mr. Brennan, council approved the introduction of the following Ordinance (with the exception of Article 2).

09-11 revised

**ORDINANCE OF THE BOROUGH OF MERCHANTVILLE,
COUNTY OF CAMDEN AND STATE OF NEW JERSEY
AMENDING CHAPTER 94, ZONING, IN THE CODE OF THE
BOROUGH OF MERCHANTVILLE**

BE IT ORDAINED by the Mayor and Borough Council of the Borough of Merchantville, County of Camden, and State of New Jersey, that Chapter 94, Zoning, in the Code of the Borough of Merchantville is hereby amended as follows:

ARTICLE I. ARTICLE III. SECTION 94-9Antennae.

A. Purpose. This section is intended to provide regulations, standards and procedures for the use, dimensions and placement of antennas within the Borough of Merchantville. The purpose of this provision is to promote the public health, safety, welfare, aesthetics and maintenance of a desirable visual environment as that term is used in N.J.S.A. 40:55D-2(i). The right of a private property owner to use an antenna is recognized subject to

the terms and conditions of this section. The regulations imposed by this section are intended to permit such use in harmony with the intent and purpose of the Borough's Zoning Code and Master Plan and the FCC objective to promote interstate satellite recovered communications.

B. Use. Antenna, including structural supports, shall be permitted as an accessory use provided that the Antenna conforms to the requirements of this section. An Antenna is permitted as an accessory use only on a lot that contains a principal structure.

C. Definitions. For the purposes of this section the term "Antenna" shall mean any and all satellite dish antennae along with any antenna designed for the reception of television and/or radio signals. Such definition expressly excepts antennae utilized in conjunction with the reception and/or transmission of cellular telephonic signals.

D. Permits and Approvals.

1. A building permit shall be required for the installation of any Antenna having a diameter greater than thirty-nine and thirty seven one hundredths inches (39.37") or which does not comply with the requirements of this section.

2. Submission Procedures. For any Antenna which requires a building permit pursuant to Section D(1), a property owner shall submit an application and a plan to the Construction Official. The application and plan shall include the following information:

- a. The location of the proposed Antenna;
- b. Engineering drawings of the proposed Antenna demonstrating its method of support and its foundations;
- c. The method of installation;
- d. The materials to be used;
- e. The height and diameter of the Antenna and related structures;
- f. The location of all existing buildings and structures and all accessory buildings or structures on the lot, if any;

g. All existing and proposed plantings and/or fencing intended to provide screening;

h. The lot and block number(s) of the lot(s) from the Borough of Tax Map, and the length and bearings of the lot lines of the property in question;

i. Any and all information deemed necessary by the zoning/construction official to meet any other requirements of this Ordinance not listed above.

E. Design Standards Antennas, as accessory uses, shall be permitted as follows:

1. Antennas having a diameter not more than thirty-nine and thirty seven one hundredths inches (39.37") ("Small Antenna"):

a. May be located in any zoning district;

b. Must be installed in a location where such Small Antenna shall not be visible from the right of way provided such location does not prevent the reception of an acceptable quality signal or impose unreasonable expense or delay.

c. May be roof-mounted, building-mounted or ground-mounted;

d. If roof-mounted or building-mounted, the Antenna may not project more than three (3) feet above peak of a roof in the case of a peaked roof or more than three (3) feet above the flat roof line in the case of a flat roof;

e. If roof-mounted on a peaked roof or if building-mounted, the Antenna shall be mounted on a roof or wall surface which faces a rear or side yard and if roof mounted on a flat roof, the satellite dish antenna shall be mounted on the center of the roof structure;

f. If roof-mounted, building-mounted or ground mounted, the Antenna shall not be visible from the public right-of-way;

g. If ground-mounted, may be placed on a pole, and;

h. If ground-mounted, must be set back from rear and side property lines at least: (i) six (6) feet, or (ii) the height from the ground to the highest point of the Antenna, whichever distance is greater.

2. Antennas having a dish diameter greater than thirty-nine and thirty seven one hundredths inches (39.37"), but not more than two (2) meters or seventy eight and seventy four one hundredths inches (78.74") ("Large Dishes"):

a. May be located in any zoning district in which commercial or industrial uses are permitted;

b. Must be ground-mounted only and located in the rear or side yard;

c. May not be visible from the public right-of-way;

d. May not be located in any required buffer area;

e. Must be set back from rear and side property lines at least (i) six (6) feet or (ii) the height from the ground to the highest point of the Antenna whichever distance is greater;

f. May not be pole-mounted; and

g. In the case of a satellite dish antenna, must be erected so that the bottom of the Antenna is no more than thirteen (13) inches above the ground.

3. Antennas utilized for the non-commercial transmission and reception of radio signals shall be permitted as an accessory structure provided any structure erected to accommodate such antenna shall be the minimum height necessary to enable the successful transmission and/or reception of radio signals but in no event shall such structure exceed the height of the principal structure to which such use is accessory.

4. For purposes of applying Sections E(1)(g), E(2)(d) and E(2)(f) "ground" shall exclude any berms, hills, mounds or like conditions that are located in such area.

5. In the event of an assertion that any limitation contained herein results in the prevention of the reception of an acceptable quality signal or imposes unreasonable expense or delay on the Applicant, it shall be the Applicant's burden of proof to establish such assertion to the satisfaction of the Board.

6. Prohibited Diameter. Any Antenna having a dish diameter greater than two (2) meters or seventy eight and seventy four one hundredths inches (78.74") inches is prohibited.

7. Exception to Design Standards. The design standards shall not apply to any public law enforcement apparatus, public safety apparatus or installations mounted within a fully enclosed principal building.

8. Screening. To the extent feasible given the locational requirements of receiving antennas, any ground-mounted Antenna shall be screened so that it is not visible from an adjacent residential property at ground level. Screening may be by use of opaque fencing, or shrubbery, or both.

9. Foundations. Any ground-mounted Antenna shall be erected on a secure ground-mounted foundation.

10. Construction. All Antennas shall be constructed to withstand wind velocities of at least one hundred (100) M.P.H. and are subject to any additional construction requirements imposed under the New Jersey Uniform Construction Code.

11. Reception. Antennas shall be placed in such a manner so that they do not interfere with the reception of neighboring properties.

12. Any connection, whether electrical or otherwise, from an Antenna to the principal building or structure shall be by underground cable.

13. Any Antenna shall be used only by the occupants or residents of the principal building or structure on the subject premises. No connection shall be permitted, whether electrical or otherwise, to adjacent properties.

F. Number. In the case of satellite dish antennas the following shall apply:

1. Residential Districts. There may be one (1) Small Dish for each dwelling unit on a lot. In addition to the permitted Small Dishes, there may be no more than one (1) Large Dish for each building on a residential lot.

2. Business Districts. There may be one (1) Small Dish for each business use on a lot. In addition to the permitted Small Dishes, there may be no more than one (1) Large Dish for each building on a lot.

g. Fees. The fee for an application to erect a satellite dish antenna shall be as set forth in the Section 94-108 (C)(9) of this Chapter.

ARTICLE II.

ARTICLE XVII.

SECTION 94-108

Fees.

C. Fees enumerated.

9. Satellite Dish Antenna. No satellite earth station antenna, inclusive of its mount, shall be built, erected or modified unless a construction permit is issued by the Construction Official. Any person (which shall include corporations, partnerships, associations or any other legal entity) applying for such a permit shall furnish to the Construction Official such plans, drawings and specifications as he or she may reasonably require as to the satellite earth station antenna to be constructed, erected or modified and shall pay a fee equal and equivalent to the sum of \$6 per \$1,000 of the value of the cost of said construction and installation of said satellite antenna commonly known as a "satellite dish." In no case shall the fee be less than Fifty (\$50.00) Dollars for a satellite dish antenna to be erected pursuant to Section 94-9.

ARTICLE III.

All Ordinances contrary to the provisions of this Ordinance are hereby repealed to the extent that they are inconsistent herewith.

ARTICLE IV.

This Ordinance shall take effect upon passage and publication according to law.

The foregoing ordinance was introduced by Mayor and Council at its regular meeting held on July 13, 2009. This Ordinance will be considered for adoption on final reading and public hearing to be held on August 10, 2009 at 7:30 p.m. in the Council Meeting Room, One West Maple Avenue, Merchantville, New Jersey.

The purpose of this Ordinance is to make certain revisions to the Zoning Ordinance as it pertains to antennae in the Borough of Merchantville. A copy of this Ordinance is available at no charge to the general public between the hours of 8:30 AM to 4:30 PM, Monday through Friday (Legal Holidays excluded), at the Office of the Borough Clerk, Merchantville Borough Hall, One West Maple Avenue, Merchantville, New Jersey.

ORDINANCE-Canceling and re-appropriation of funds for Municipal Improvements.

On a motion of Mr. Perno and second of Mr. Brennan, council approved the introduction of the following Ordinance.

09-15

ORDINANCE OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN, NEW JERSEY, CANCELLING CERTAIN FUNDED APPROPRIATION BALANCES HERETOFORE PROVIDED FOR VARIOUS CAPITAL PROJECTS AND REAPPROPRIATING SUCH FUNDED APPROPRIATION BALANCES FOR RENOVATION AND IMPROVEMENTS TO BOROUGH HALL

BE IT ORDAINED by the Borough Council of the Borough of Merchantville, County of Camden, New Jersey ("Borough") (not less than two-thirds of all the members thereof affirmatively concurring), pursuant to the provisions of the Local Bond Law, Chapter 169 of the Laws of 1960 of

the State of New Jersey, as amended and supplemented ("Local Bond Law"), as follows:

Section 1. The following appropriations remaining as a balance in Bond Ordinances 05-07 and 07-09 (collectively, the "Bond Ordinances") heretofore adopted by the Borough Council are hereby cancelled:

| <u>Ordinance No. and Section</u> | <u>Amount of Funded Appropriation to be Cancelled</u> | <u>Amount of Unfunded Appropriation to be Cancelled</u> |
|--|--|--|
| 05-07(A) (Acquisition of Police Equipment) | \$6,142.38 | \$0 |
| 05-07(C) (MEMS Equipment) | 1,304.00 | 0 |
| 05-07(E) (Renovations to Fire House) | 4,925.00 | 0 |
| 07-09 (Acquisition of Fire Equipment) | 7,823.88 | 0 |
| 07-09 (Drainage Improvements) | 9,000.00 | 0 |
| <u>Total</u> | <u>\$29,195.26</u> | <u>\$0</u> |

Section 2. The sum of \$29,195.26, which represents the funded appropriations cancelled in Section 1 hereof, is hereby reappropriated from the Bond Ordinances for renovations and improvements to the Borough Hall including, but not limited to, the replacement of the exterior roof wall and renovation to the roof in the amount of \$29,195.26, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto, all as more particularly described in the resolution adopted by the Borough Council on the 13th day of July, 2009, authorizing the Borough to finance the above-referenced improvements through an emergency appropriation.

Section 3. The period of usefulness of the purposes referred to in Section 2, within the limitations of the Local Bond Law and according to the reasonable life thereof, is not less than ten (10) years.

Section 4. The Capital Budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith, and the resolution promulgated by the Local Finance Board showing full detail of the amended Capital Budget and Capital Program as approved by the Director of the Division of Local Government Services, is on file with the Municipal Clerk and available for inspection.

Section 5. The improvements authorized hereby are not current expenses and are general improvements that the Borough may lawfully make. No part of the cost of the improvements authorized hereby has been or shall be specially assessed on any property specially benefited thereby.

Section 6. The Borough hereby declares its intent to reimburse itself from the proceeds of the bonds or bond anticipation notes authorized by this Bond Ordinance pursuant to Income Tax Regulation Section 1.150-2(e), promulgated under the Internal Revenue Code of 1986, as amended ("Code"), for "original expenditures", as defined in Income Tax Regulation Section 1.150-2(c)(2), made by the Borough prior to the issuance of such bonds or bond anticipation notes.

Section 7. All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 8. This ordinance shall take effect twenty (20) days after the first publication thereof after final passage.

The ordinance was introduced and passed upon first reading at a meeting of the Borough Council of the Borough of Merchantville, in the County of Camden, State of New Jersey, on July 13, 2009. It will be further considered for final passage, after public hearing thereon, at a meeting of the Borough Council to be held at the Merchantville Borough Municipal Building, One West Maple Avenue, Merchantville, New Jersey on August 10, 2009 at 7:30 o'clock PM. During the week prior to and up to and including the date of such meeting copies of the ordinance will be available at no cost and during regular business hours, at the Borough Clerk's office for the members of the general public who shall request the same.

RESOLUTIONS to be read and approved by consent agenda: On the motion of Mr. Perno and second of Mr. Brennan, Council approved the following resolutions by Consent Agenda with Mr. Brennan and Mr. Waldron abstaining from the vote on Resolution 09-03:

R09-93

RESOLUTION OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN AND STATE OF NEW JERSEY APPOINTING PATRICK BRENNAN TO THE MERCHANTVILLE PENNSAUKEN WATER COMMISSION BOARD

WHEREAS, the Borough Council of the Borough of Merchantville desires to appoint Patrick Brennan to the board of the Merchantville Pennsauken Water Commission; and

WHEREAS, this board position is for a term of five (5) years beginning July 1, 2009 and expiring June 30, 2014;

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Merchantville does hereby appoint Patrick Brennan to the Merchantville Pennsauken Water Commission Board, 20 W. Maple Avenue, Merchantville, NJ 08109.

RESOLUTION 09-94

WHEREAS, N.J.S.A. 40a:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, the Annual Report of Audit for the year ending December 31, 2008 has been filed by a Registered Municipal Accountant with the Borough Clerk pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Findings and Recommendations"; and

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Findings and Questioned Costs" or "Findings and Recommendations", as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the governing body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the governing body to the penalty provisions of R.S. 52:27BB-52- to wit:

R.S. 52:28BB-52- A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his/her office."

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Merchantville, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

1. any funding received as a result of this application will only be used for eligible costs for a project comprised of the improvements as stated in the application; and
2. that if the application is approved and accepted by the Transportation Enhancement Program, the sponsor agrees to the agreement as stated in the application and provide the required long-term maintenance of the proposed improvements; and
3. the Mayor and Clerk are hereby authorized to execute and attest this resolution, application and agreement.

R09-95

RESOLUTION OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN AND STATE OF NEW JERSEY TO ALLOW MERCHANTVILLE TO BECOME A MODEL CLASSIC TOWN

WHEREAS, the Delaware Valley Regional Planning Commission (DVRPC) has created a regional community marketing and assistance program known as the Classic Towns Program; and

WHEREAS, the Classic Towns Program works toward determining communities' marketing and community development needs, promoting social, economic, institutional, and aesthetic amenities, defining the target markets for residential and commercial investment; creating a marketing strategy that promotes a positive image of the region's classic communities; and encouraging municipal participation; and

WHEREAS, DVRPC may designate a Classic Town after the community has achieved the Classic Town criteria established by DVRPC; and

WHEREAS, the Classic Town criteria include: (1) a medium-high or high transit score; (2) population loss between 1990-2000; (2) forecasted to lose population between 2005 and 2035; (3) a designated Main Street; (4) Philadelphia core city or regional center; and

WHEREAS, once a municipality has been identified as a Classic Town, DVRPC will provide that municipality with (1) access to the regional campaign website; (2) Marketing Design toolkits; (3) participation in workshops; (4) DVRPC staff assistance; (5) access to special information meetings, educational programs, and research information; and

WHEREAS, the governing body of the Borough of Merchantville desires to apply to become a Classic Town of the Philadelphia region and pay up to \$2,500 to participate in this two year program.

NOW THEREFORE IT BE RESOLVED by the governing body of the Borough of Merchantville in the county of Camden, State of New Jersey, that the Borough of Merchantville requests to be considered for the Classic Town program; and

BE IT FURTHER RESOLVED that the governing body of the Borough of Merchantville is committed to marketing and is willing to promote our community's social, economic, institutional, and aesthetic amenities; and

BE IT FURTHER RESOLVED that the governing body of the Borough of Merchantville hereby commits to the implementation of the marketing campaign and the vision presented by the DVRPC; and

BE IT FURTHER RESOLVED that the governing body of the Borough of Merchantville has identified Denise Brouse who is knowledgeable in planning, development, and the community, to be the primary contact person to DVRPC throughout the duration of the two-year commitment; and

BE IT FURTHER RESOLVED that if designated as a Classic Town, the governing body of the Borough of Merchantville will commit to meeting with and submitting quarterly reports to the Delaware Valley Regional Planning Commission; and

BE IT FURTHER RESOLVED that if designated, the governing body of the Borough of Merchantville will strive to (1) retain and attract new downtown businesses; (2) build new relationships with local media outlets; (3) improve connectivity to transit; (4) preserve historic and architectural integrity of the community; (5) offer a diversity of housing choices; (6) provide opportunities for community members to participate and attract new visitors.

BE IT FUTURE RESOLVED that in the event that DVRPC determines that a designated Classic Town no longer complies with the program requirements and criteria, the Classic Town may suspend or withhold program benefits.

R09-96

RESOLUTION OF THE BOROUGH OF MERCHANTVILLE COUNTY OF CAMDEN RELEASING MERCHANTVILLE TAX COLLECTOR FROM COLLECTING CERTAIN TAXES PER N.J.S.A. 54:5-91.2

WHEREAS, the Merchantville Borough Tax Collector , pursuant to N.J.S.A. 54:4-91.1, had filed with the Borough of Merchantville Council a list of delinquent real estate taxes which said collector believes are not collectable, which list is attached hereto: and

WHEREAS, the Borough of Merchantville Council, pursuant to N.J.S.A. 54:4-91.2, has examined said list and is satisfied that all of the taxes so listed are not collectable, and it has therefore adopted this Resolution:

NOW THEREFORE , BE IT RESOLVED by the Borough of Merchantville Council , in the County of Camden and State of New Jersey, as follows:

RESOLVED, that pursuant to N.J.S.A. 54:4-91.2, the taxes reflected on this list of the Merchantville Borough Tax Collector attached hereto and made a part hereof be and the same are hereby ordered cancelled and the Merchantville Borough Tax Collector is released from the collection of the same.

| OWNER/BLOCK/LOT | TAX YEAR/TYPE | AMOUNT | REASON |
|------------------|--------------------------|--------|---------------------------|
| Sec of Hud 28/17 | 1998 / REAL | | \$139.87 muni. Lien vacat |
| 1999 / REAL | 427.75 muni. Lien vacant | | |
| | 2000 / REAL | 428.57 | muni. Lien vacant |
| | 2001 / REAL | 416.53 | muni. Lien vacant |
| | 2002 / REAL | 426.11 | muni. Lien vacant |
| | 2003 / REAL | 418.97 | muni. Lien vacant |
| | 2004 / REAL | 511.72 | muni. Lien vacant |
| | 2005 / REAL | 770.30 | muni. Lien vacant |

M. Ted Hicks 27/21.05 2002 / REAL .18 lien/ cancellation of
Per NJ practice Vol. 35a, PANE, App. P. 2.
Should not have went to sale.

R09-97

RESOLUTION OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN AND STATE OF NEW JERSEY FOR APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT WITH THE

**NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE ROADWAY
IMPROVEMENTS TO LOCUST STREET PROJECT**

WHEREAS, the Application for Roadway Improvements is funded through the federal government and administered by the New Jersey Department of Transportation (NJDOT), which provides funds for municipalities; and

WHEREAS, the Borough of Merchantville desires to seek funds from the New Jersey Department of Transportation for Roadway Improvements to Locust Street Project;

NOW, THEREFORE, BE IT RESOLVED that Council of the Borough of Merchantville formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2010 Merchantville Borough -00109 to the New Jersey Department of Transportation on behalf of the Borough of Merchantville.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Merchantville and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

**R09-98
RESOLUTION OF THE BOROUGH OF MERCHANTVILLE,
COUNTY OF CAMDEN, NEW JERSEY, CHANGING
CUSTODIAN OF THE POLICE HEALTH PETTY CASH FUNDS**

WHEREAS, N.J.S.A. 40A:5-21 authorizes the establishment of the Petty Cash Funds;
and

WHEREAS, Robert E. Ward was custodian of the Police Health and Petty Cash Funds;
and

WHEREAS, in accordance with N.J.S.A. 40A:5-21, the Borough of Merchantville is changing custodian to Wayne Bauer, Chief; and

WHEREAS, it is the desire of the Borough of Merchantville, County of Camden that the second police petty cash fund be decreased from \$250.00 to \$00.00 and dissolved;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Merchantville, Camden County, New Jersey, hereby authorizes such action and two copies of this resolution be filed with the Division of Local Government Services, New Jersey Department of the Community Affairs for approval.

**R09-99
RESOLUTION OF THE BOROUGH OF MERCHANTVILLE,
COUNTY OF CAMDEN, NEW JERSEY, CHANGING
CUSTODIAN OF THE HEALTH AND PETTY CASH FUNDS**

WHEREAS, N.J.S.A. 40A:5-21 authorizes the establishment of the Petty Cash Funds;
and

WHEREAS, Susan B. Walker was custodian of the Health and Petty Cash Funds; and

WHEREAS, in accordance with N.J.S.A. 40A:5-21, the Borough of Merchantville is changing custodian to Michelle McKinney; and

WHEREAS, it is the desire of the Borough of Merchantville, County of Camden that the petty cash fund for the Clerk's Office be decreased from \$500.00 to \$200.00; and

WHEREAS, Michelle McKinney is bonded in the amount of 1,000.00 by virtue of a surety bond.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Merchantville, Camden County, New Jersey, hereby authorizes such action and two copies of this resolution be filed with the Division of Local Government Services, New Jersey Department of the Community Affairs for approval.

RESOLUTION 09-54 BOROUGH HALL FLOORING

On a motion of Mr. Perno and second of Mr. Brunton, Council approved the following Resolution:

R09-54

**RESOLUTION OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF
CAMDEN, NEW JERSEY AUTHORIZING THE PURCHASE OF FLOORING
FOR BOROUGH HALL**

WHEREAS, the Borough Council of the Borough of Merchantville is desirous of purchasing flooring for the Borough Hall; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds in accordance with Ordinance 07-09;

NOW, THEREFORE, BE IT RESOLVED, that approval has been granted for the purchase of flooring for the Borough Hall from Martell Construction Co., Inc. 15 South Miller Avenue, 15 South Miller Avenue, Penns Grove, New Jersey, 08069 at a cost of \$49,200.00

RESOLUTION 09-100 AUTHORIZING EMERGENCY APPROPRIATIONS

On a motion of Mr. Perno and second of Mr. Brennan, Council approved the following Resolution:

R09-100

**RESOLUTION OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN AND
STATE OF NEW JERSEY AUTHORIZING EMERGENCY APPROPRIATIONS**

WHEREAS, an emergent condition has arisen in the Borough of Merchantville to enter into a commitment to pay for the borough hall roof wall replacement and roof repair and no adequate provision was made in the 2009 budget for the aforesaid purpose; and

WHEREAS, N.J.S.A. 40A:4-46 provides for the creation of an emergency appropriation for purpose mentioned above; and

WHEREAS, the total amount of the emergency appropriation created including the appropriation to be created by this resolution is \$29,195.26; and

WHEREAS, said emergency appropriation shall be financed through the cancellation and re-appropriation of certain funded amounts in Bond Ordinances 05-07 and 07-09, as provided for in Ordinance 09-15 introduced this 13th day of July, 2009; and

WHEREAS, the Chief Financial Officer has certified that the expenditures to be financed through this resolution are related to the aforementioned emergency.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Merchantville, Camden County, New Jersey, (not less than two-thirds of all the members thereof affirmatively concurring) that two certified copies of this resolution be filed with the Director of Local Government Services.

On a motion of Mr. Perno and second of Mr. Brennan, the following resolutions were combined for a roll call vote.

R09-101

**RESOLUTION OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF
CAMDEN, NEW JERSEY AUTHORIZING THE REPAIR OF THE BOROUGH
HALL WALL ABOVE POLICE STATION**

WHEREAS, the Borough Council of the Borough of Merchantville is desirous of repairing the wall above the police station at Borough Hall; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds in accordance with Ordinance 09-15 in the amount of \$17500.00;

NOW, THEREFORE, BE IT RESOLVED, that approval has been granted for the repair of the wall above the police station for the Borough Hall from Masonry Preservation Group, Inc., 706 West Maple Avenue, Merchantville, New Jersey 08109 in the amount of \$17,500.00.

R09-102

RESOLUTION OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN, NEW JERSEY AUTHORIZING THE REPAIR OF THE BOROUGH HALL ROOF ABOVE POLICE STATION

WHEREAS, the Borough Council of the Borough of Merchantville is desirous of repairing the roof above the police station at Borough Hall; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds in accordance with Ordinance 09-15 in the amount of \$10,150.00;

NOW, THEREFORE, BE IT RESOLVED, that approval has been granted for the repair of the roof above the police station for the Borough Hall from William Austin Co., 134 Manor Avenue, Oaklyn, New Jersey 08107 at a cost of \$10,150.00

R09-103A

NEW JERSEY DEPARTMENT OF TRANSPORTATION DIVISION OF LOCAL AID AND ECONOMIC DEVELOPMENT RECOMMENDATION OF AWARD STATE AID PROJECT ROADWAY IMPROVEMENTS FOR MORRIS STREET, FY2008 BOROUGH OF MERCHANTVILLE, CAMDEN COUNTY, NEW JERSEY

BE IT RESOLVED that the Mayor and Council of the Borough of Merchantville hereby recommends to the New Jersey Department of Transportation that the contract for the"

Roadway Improvements to Morris Street, FY2009 in the Borough of Merchantville, County of Camden

be awarded to **Paramount Enterprises, Inc.** whose bid amounted to **\$102,175.00**, subject to the approval of the Department.

That the presiding officer of this body be and is hereby directed to sign for and on its behalf the contract in the prescribed form for said construction.

That the clerk of this body be and is hereby directed to seal said contract with the corporate seal of this body and to attest to the same.

R09-103B

NEW JERSEY DEPARTMENT OF TRANSPORTATION DIVISION OF LOCAL AID AND ECONOMIC DEVELOPMENT RECOMMENDATION OF AWARD STATE AID PROJECT ROADWAY IMPROVEMENTS FOR PROSPECT STREET, FY2009 BOROUGH OF MERCHANTVILLE, CAMDEN COUNTY, NEW JERSEY

BE IT RESOLVED that the Mayor and Council of the Borough of Merchantville hereby recommends to the New Jersey Department of Transportation that the contract for the:

Roadway Improvements to Prospect Street, FY2009 in the Borough of Merchantville, County of Camden

be awarded to **Paramount Enterprises, Inc.** whose bid amounted to **\$151,103.00**, subject to the approval of the Department.

That the presiding officer of this body be and is hereby directed to sign for and on its behalf the contract in the prescribed form for said construction.

That the clerk of this body be and is hereby directed to seal said contract with the corporate seal of this body and to attest to the same.

PROCLAMATION-Supporting over the limit under arrest 2009 statewide crackdown- A proclamation was read declaring support for the Over the Limit Under Arrest 2009 Statewide Crackdown from August 21 through September 7, 2009 and pledges to increase awareness.

DISCUSSION-Crime free multi-housing program
Police gave report on program, consider for August meeting.

DISCUSSION-Referendum to permit raffle licenses in the Borough
Put on ballot

DISCUSSION-Adding stop signs at Locust and Maple Terrace
Eliminate parking spots

APPROVAL-Use of parking lot for additional Farmer's Market was approved

APPROVAL-Use of Wellwood Park for Flea Market was approved.

PAYMENT OF BILLS:

On the motion of Mrs. Fields and second of Mr. Perno, Council approved the following bills for payment:

**R09-104
RESOLUTION**

RESOLVED that the Report of the Department of Accounts and Auditing be accepted and spread upon the minutes and the Treasurer be is hereby authorized to pay bills approved therein.

| Borough of Merchantville Current Fund | | Bill List Summary July 13, 2009 | |
|--|------------------------|---|---------------------|
| | | Revenue | Budget |
| Checks Current Fund | 2008 Budget | | \$50.51 |
| | 2009 Budget | | \$89,589.13 |
| | State / Federal Grants | | \$3,205.94 |
| | Debt Service | | |
| | Board of Education | | |
| | Revenue Current | \$2,487.88 | |
| | Checks Delivered | | \$152,756.20 |
| | Total | \$2,487.88 | \$245,601.78 |
| Sewer Utility Fund | | | |
| | 2008 Budget | | \$1,825.00 |
| | 2009 Budget | | \$137,902.03 |
| | Debt Service | | |
| | Checks Delivered | | |
| | Total | | \$139,727.03 |

Recreation Commission

| | | | |
|--|------------------|---------|------------|
| | 2009 Budget | | \$1,296.89 |
| | Revenue Rec | \$1,500 | |
| | Checks Delivered | | |
| | Total | \$1,500 | \$1,296.89 |

General Capital Fund

| | | | |
|--|------------------|--|-------------|
| | 2009 Budget | | \$44,615.54 |
| | Checks Delivered | | \$55,076.72 |
| | Total Capital | | \$99,692.26 |

Trust-Other Fund

| | | | |
|--|------------------|--|-------------|
| | 2009 Budget | | \$6,373.07 |
| | Checks Delivered | | \$8,872.04 |
| | Total Trust | | \$15,245.11 |

**Animal Trust
Unemployment**

| | | | |
|-----------------|--------------------------|--------------|--------------|
| | 2009 Budget | | \$287.00 |
| | 2009 Budget | | |
| | Checks Delivered | | |
| | Total | | \$287.00 |
| Total Bill list | Total Revenue \$3,197.37 | Total Budget | \$501,850.07 |

ANNOUNCEMENTS: Shawn Waldron will be away in August for Council meeting. Mark Brunton wanted to know if we were still moving ahead on the brew pub?

ADJOURNMENT:

On the motion of Mr. Alloway and second of Mr. Brunton the meeting was adjourned at 9:40 PM.

DENISE BROUSE
BOROUGH CLERK